

As to how *non compos* should answer and sue, see sections 146 and 147.

No decree *pro confesso* may pass against insane defendants—see sec. 204.

And see sec. 123.

As to lunatics and insane persons, see also art. 59.

As to the provision of the law where a *non compos* is entitled to an election, see art. 46, sec. 48. See also, art. 46, sec. 46.

1904, art. 16, sec. 108. 1888, art. 16, sec. 97. 1860, art. 16, sec. 80.

1785, ch. 72, sec. 6.

115. On the application of any creditor of a person *non compos mentis*, the court may decree a sale of the real or personal estate of such *non compos mentis*, or such part thereof as may be necessary to pay the claim of such creditor, if the court is satisfied of the justice of the claim, and that there is no other means of paying the same.

Ibid. sec. 109. 1888, art. 16, sec. 98. 1860, art. 16, sec. 81. 1790, ch. 60, sec. 2.

1800, ch. 67, sec. 3. 1819, ch. 144, sec. 1. 1828, ch. 26.

1829, ch. 222. 1894, ch. 221.

116. The court which may have appointed a guardian, committee or trustee of the property of a person *non compos mentis* may, upon the application of such guardian, committee or trustee, without any process or order of publication, order or decree the sale of any real, leasehold or personal property to which such person *non compos mentis* may be entitled and order the money arising therefrom to be invested in stocks or other property, or in mortgages on real estate or in other safe securities, as the court may deem most advantageous to such person *non compos mentis*; and on the death of such person *non compos mentis* the principal arising from any such sale shall pass to and vest in the person or persons in whom such property would have vested if the same had not been sold. Any decree or order which may have been heretofore passed for the sale of the property of any person *non compos mentis* shall have the same effect as if it had been passed after the adoption of this section.

Inasmuch as a sale can only be ordered under this section upon the application of the guardian, committee, etc., a decree can not pass upon the application of a third party; and under such decree, a purchaser gets no title. History of this section. *Hamilton v. Traber*, 78 Md. 32.

This section construed in connection with section 51—see notes thereto. *Tome v. Stump*, 89 Md. 269.

Cited but not construed in *Jones v. Jones*, 1 Bl. 458.

See notes to sec. 118.

Ibid. sec. 110. 1888, art. 16, sec. 99. 1860, art. 16, sec. 82. 1833, ch. 150, sec. 2.

1894, ch. 221.

117. The court, which may have appointed a guardian, committee or trustee of the property of a person *non compos mentis* may, upon the application of such guardian, committee or trustee, without any process or order of publication, order or decree any real or leasehold property of a person *non compos mentis* to be leased for any term of years, or may order or decree the surrender of any lease of the estate or property of such person *non compos mentis* to be accepted, and the same to be demised anew on such terms and conditions as the court may direct.

This section referred to in construing section 51—see notes thereto. *Tome v. Stump*, 89 Md. 269.

This section referred to in construing sections 116 and 118—see notes to the latter section. *Willis v. Hodson*, 79 Md. 331.